

**Notice of Allowability**

Application No.

09/484,834

Examiner

Negussie Worku

Applicant(s)

NAKAMURA, TAKESHI

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Oct 15, 2004.
2. ☒ The allowed claim(s) is/are 13-16.
3. ☒ The drawings filed on 18 January 2000 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 10/15/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other

*Negussie Worku*  
11/24/04

*KA Williams*  
KIMBERLY WILLIAMS  
SUPERVISORY PATENT EXAMINER

### DETAILED ACTION

1. Information disclosure statement by applicant filed October 15, 2004 has been considered.

#### ***Reasons for Allowance***

2. The following is an examiner's statement of reasons for allowance:  
Applicant's response filed October 15, 2004 with respect to the office action dated June 9, 2004 has been considered. Claims 1-12 have been cancelled and claims 13-16 have been added by the present amendment as stated in page 5, lines 1-4 of applicant's response.

Applicant's arguments as discussed in page 6 lines 1-18 has been considered by Examiner that the prior art does not teach or disclose the claimed invention as amended.


Therefore, claims 13 -16 are allowed for the reasons stated above.

3. Any inquiry concerning this communication or earlier communication from Examiner should be directed to *Negussie Worku* whose telephone number is (703) 305 5441.

The Examiner can normally be reached on M-F, 9 am - 6 pm if attempts to reach the Examiner by telephone are unsuccessful, the Examiner's Supervisor, ***Kimberly Williams***, can be reached on (703) 305-4863.

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The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306, and any inquiry of general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

  
Negussie Worku  
11/24/04

  
KIMBERLY WILLIAMS  
SUPERVISORY PATENT EXAMINER